

# STATE OF INDIANA

## SENATE

Senator Brent Steele  
200 West Washington Street  
Indianapolis, IN 46204  
www.in.gov/s44

Chair, Corrections, Criminal & Civil Matter  
Ethics  
Judiciary  
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January 11, 2010

Cynthia Brown  
Office of Proceedings  
Surface Transportation Board  
395 E. Street S. W.  
Washington, DC 20423-0001

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Office of Proceedings

FEB 18 2010

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Public Record

Dear Ms. Brown:

Please accept this letter regarding Indiana Rail Road Abandonment Exemption--Martin and Lawrence Counties, Indiana STB Docket No. AB-295 (Sub-No7x).

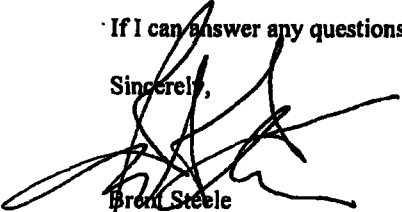
On behalf of the constituents of State Senate District 44 (Lawrence, Orange, Washington, Jackson and Monroe Counties), please be advised that I object to the Indiana Railroad's application for abandonment of the above mentioned rail line.

On a personal note, my grandfather was a retired Monon conductor. The rails are on hard times and I am not stupid enough to say differently but, there will come a day when the United States will want these lines and once they are abandoned they are gone forever. As a lawyer I know the impossibility of the task of going through condemnation proceedings to try to re-establish what they already have. Much of their easement is by "prescription" and once that is abandoned the fee title reverts to the landowner over which the line passes or if it divides two parcels then it is equally divided by the adjoining landowners. But, once it is gone it is gone forever. For the record, let me add a word of caution, that if the rail bed is abandoned and it is a rail bed acquired by prescriptive easement, do not try to sell this to any other entity. This property would then belong to the landowners.

It is with all of this in mind and the considerations of the many others you have heard from that I have to ask you to reject this application. My district has taken economic hit after economic hit and this could very well be the one that breaks the camel's back.

If I can answer any questions or be of future assistance, please do not hesitate to contact me.

Sincerely,

  
Brent Steele  
Senator,  
State of Indiana